

ALJ/GEW/avs

Decision 02-02-014 February 7, 2002

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Yucaipa Mobilehome Residents' Association  
("YMRA"), a California nonprofit corporation,  
by Len Tyler, President of YMRA, as  
representative of the residents of Knollwood  
Mobilehome Park; Edna Jenkins, a represented  
Member of YMRA, an individual and resident  
Of Knollwood Mobilehome Park; and  
Nancy L. Carlisle, a represented member of  
YMRA, an Individual and resident of Knollwood  
Mobilehome Park,

Complainants,

vs.

Knollwood Mobilehome Estates, Ltd.,  
a California Partnership, doing business as  
Knollwood Mobilehome Estates,

Defendant.

Case 01-06-008  
(Filed June 4, 2001)

**ORDER EXTENDING STATUTORY DEADLINE**

Pub. Util. Code § 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending the deadline.

Case (C.) 01-06-008 was filed on June 4, 2001. On November 27, 2001, defendant's motion to dismiss was granted in part, and allegations regarding

replacement of a water system and repairs to gas and electric components between the submeter and individual mobilehomes were dismissed.

Hearing on the remaining issues in the case was set for February 6, 2002, in Riverside. However, in a telephone status conference conducted on January 9, 2002, both parties stated that they intended to file additional motions, that additional discovery was under way, and that settlement discussions were a possibility. Accordingly, they moved jointly to reschedule the hearing to May 23, 2002, following submission of prepared testimony in March and April. The request was granted.

Since it now appears unlikely that a final decision will issue by June 3, 2002, the parties asked that the statutory deadline be extended. We deem it prudent to extend the statutory deadline for final resolution of the application to ensure that no violation of Pub. Util. Code § 1701.2(d) occurs.

A final decision in this case should issue within six months of the rescheduled hearing date. Therefore, we will extend the statutory deadline to November 22, 2002. If a final decision has not been issued by that time, a further order extending statutory deadline will issue.

Under Rule 77.7(f)(4) of the Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of draft decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to Rule 77.7(f)(4), the otherwise applicable § 1701.2(d) statutory deadline for public review and comment is being waived.

### **Findings of Fact**

1. This proceeding was initiated on June 4, 2001, as an adjudicatory proceeding.

2. On November 27, 2001, a motion to dismiss was granted in part, and a hearing on the remaining issues was set for February 6, 2002.

3. In a telephone status conference on January 9, 2002, the parties asked that hearing be rescheduled to May 23, 2002, and that the statutory deadline be extended, while they conducted further discovery and considered settlement.

4. Based upon the 12-month statutory deadline, this proceeding was to have been resolved on or before June 3, 2002, unless that date is extended.

5. The 12-month deadline will not be met, primarily because of the parties' request for more time prior to hearing.

6. A final decision in this proceeding is to be issued on or before November 22, 2002.

### **Conclusion of Law**

The 12-month deadline imposed by Pub. Util. Code § 1701.2(d) should be extended until November 22, 2002.

**IT IS ORDERED** that the 12-month statutory deadline in this proceeding is extended until November 22, 2002.

This order is effective today.

Dated February 7, 2002, at San Francisco, California.

LORETTA M. LYNCH  
President  
HENRY M. DUQUE  
RICHARD A. BILAS  
CARL W. WOOD  
GEOFFREY F. BROWN  
Commissioners